THE PRESENT CONDITION

OF

THE MISSION INDIANS

OF CALIFORNIA.

REPORT OF A RECENT VISIT

BY

PROF. C. C. PAINTER.

PHILADELPHIA:
OFFICE OF THE INDIAN RIGHTS ASSOCIATION,
No. 1316 FILBERT STREET.
1887.

The Indian Rights Association represents practical and business-like aims and methods for the solution of the Indian problem. It has no interest in extreme or eccentric theories or plans.

By direct investigation on the various reservations, it has obtained an acquaintance with the actual condition of the Indians, and with the general administration of the Indian service, which is unequalled in extent and accuracy.

The Association co-operates with the Government in all measures and efforts tending to the advancement of the Indians toward self-support. It favors the immediate adoption of a system for the education of all Indian children; the extension of law over the reservations, for the protection of the rights of both Indians and white men; the allotment of lands to individual Indians, and the breaking up of the tribal organization, which is the real citadel of savagery. The passage of the general land in severalty bill is the beginning of a new order of things.

The need of the direct observation of facts in the Indian country, and of assistance and redress for Indians in cases of flagrant wrong and encroachment, increases every year. The opportunities of the Association were never so great as now. The natural growth of its work requires increased means to sustain it. Intelligent and public-spirited citizens are invited to examine the work of the Association, and to aid in the accomplishment of its objects.

HERBERT WELSH,

Corresponding Secretary,

1316 Filbert Street, Philadelphia.

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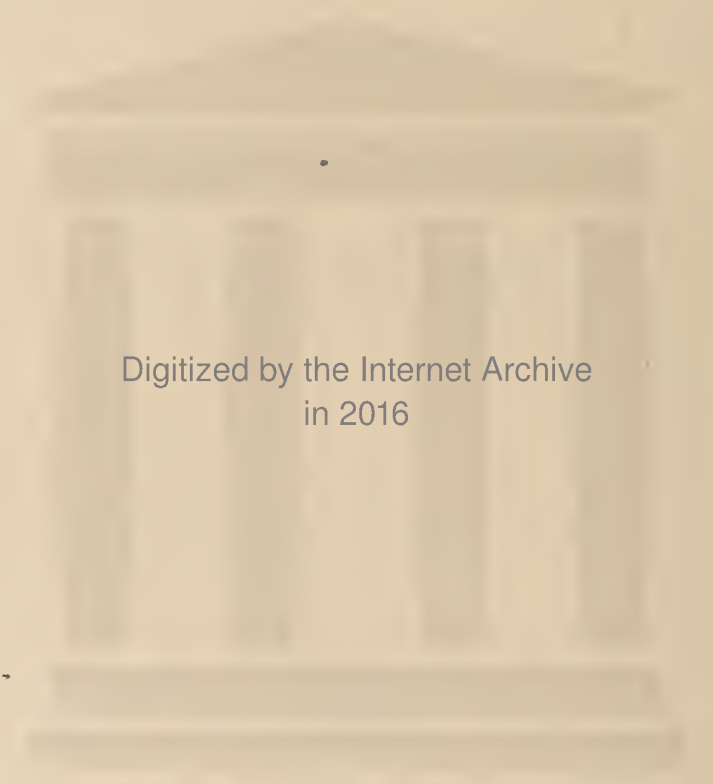

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A VISIT TO THE MISSION INDIANS OF CALIFORNIA.

BY PROF. CHARLES C. PAINTER.

A brief recapitulation of facts would seem to be the best introduction to, and explanation of, the following report of my recent visit to the Mission Indians of California.

In my report of a previous visit, published by the Indian Rights Association, it was stated that: "At my earnest request the Government has appointed special counsel to take up and defend the rights of these Indians, but appointed him to serve without compensation. It seems evident, therefore, that this effort must be sustained and pushed by our Association."

It is known to many that the Indian Rights Association became responsible for the fees of Mr. Ward, the special counsel appointed by the Attorney-General, neither the Department of Justice nor the Interior Department having any funds to use for such purposes. The case of Byrnes *vs.* The San Jacinto Indians came to trial last summer, and was decided in favor of the plaintiff, and, failing to induce the Government to stand sponsor for the case, and assume responsibility for costs and indemnity to plaintiff pending an appeal to the Supreme Court, the Secretary of the Indian Rights Association gave his personal check for $3300, which has been deposited with the clerk of the Court for San Diego County, California, to await the issue of this appeal.

By the timely arrival of this check, the immediate ejectment of 200 Indians from the homes and lands on which, by concession of plaintiff, they have lived continuously since 1815, was delayed at least until the Supreme Court of the State shall confirm the decree of the lower court.

It thus appears that the Indian Rights Association has addressed itself earnestly to the effort to settle definitely the question whether or not these poor people have a valid legal, as they undoubtedly have an equitable, title to their lands. It also appears that the Association has become pecuniarily responsible

for the fees of counsel whom it did not select, and with whom its members had no acquaintance; responsible, also, for heavy costs and damages in a case entrusted to one of whose character and abilities they were ignorant. It was, therefore, deemed important that some one should go out and gain such information as we ought to have, under these circumstances, for our guidance.

My departure on this tour of investigation was delayed until after the Mohonk conference, which occurred on the 13th, 14th and 15th of October, the result of which was to enlarge the scope of my inquiries. At this conference appeared Mrs. O. J. Hiles, of Milwaukee, Wis., who spent the last winter in Southern California, and made herself acquainted with the sad history and distressed condition of these Indians. Her story and appeal deeply moved the conference, and a strong Committee on Mission Indians was appointed, consisting of Philip Garrett, of Philadelphia; Austin Abbott and Elliot Shepherd, of New York; Moses Pierce, of Norwich, Conn., and J. W. Davis, of Boston. After full discussion, both in the general conference and by the committee, it was decided that the work undertaken by the Indian Rights Association must be enlarged and broadened, and I was therefore delegated by this committee, in addition to the special matters I was sent by the Association to investigate, to institute inquiries as to what cases might be hopefully undertaken against the white men who had deprived, or were now depriving, the Indians of their homes; also to make inquiries, and if possible find first-class counsel who would undertake such cases as the committee might decide to prosecute. It was clearly the opinion of this large conference that the best legal advice which can be secured should be obtained, and the defense of these people made the strongest possible, even if it involved the sending out of an attorney from the East.

Thus doubly commissioned, I left home on the 22d of October last, and now have the honor of making a report of my third visit to these Mission Indians of Southern California. At the suggestion of the Mohonk Committee, and with letters of introduction to leading lawyers and other gentlemen known to be in sympathy with the objects of our Association, I went directly to San Francisco for consultation and advice with reference to

reliable men nearer the seat of our war. Nearly three weeks were spent here, and at Los Angeles, San Diego, and other points available for the purposes of my visit.

The details of information gathered as to men and courses of action to be pursued have been given to the committee for their use, and would be of no value as related to the purposes of this more general report.

It was found that the young man whom the Government had appointed Special Attorney for these Indians, and whose support had been turned over to us, had been earnest and vigilant in the discharge of his duties. The brief he had prepared in the case which has been tried was regarded by Attorney-General Garland as so strong that he not only wrote him a very complimentary letter, but appointed him special counsel for the Government in a very important land case, involving a large amount of property. It may be a satisfaction to some, and gratify a natural curiosity, to know that in *this* case he was *not* to serve without due compensation ; from which it appears that it is only when the interests of Indians are involved that men are expected to serve the Government from disinterested motives.

I was much pleased with what I saw and could learn of the young man, and believe he will honestly make the best fight he can for his clients. As to his ability to cope with the talent which the plaintiff can command, and the wisdom of entrusting to him alone, unsupported by other counsel, the interests of these people, others more competent to judge must decide from the material put into their hands upon which to base a judgment.

The court decided the case of Byrnes *vs.* The San Jacinto Indians against the defendants, because of their failure to appear before a commission appointed by act of Congress in 1857, which required all persons claiming title to land under old Spanish and Mexican laws to appear before them and establish their title. Hope for a reversal of this decision on appeal to the Supreme Court of the State is based on the 16th section of this act, which requires this commission to inquire and report to the Secretary of the Interior by what title the Mission and Pueblo Indians claimed land under Mexican laws. If this section has any meaning, it would seem to shift the responsibility from this class of claimants to the commission itself, Congress evidently consider-

ing it unjust and impracticable to require the Indians to appear in answer to a general notification through the public press.

There is danger that this case may go against the Indians finally, on a technicality, and the decision may not touch the question of the validity, under law and treaty, of their titles.

The Indians on Warner's Ranch and on the San Ysabel grant have been notified by the present claimant of these ranches that they must vacate; but no action will be taken, probably, until a decision has been reached in the case now pending.

The sad case of the San Fernando Indians ought to be known, because it is an illustration of what has so many times occurred, and of what may soon occur in a large number of cases now pending.

THE SAN FERNANDO CASE.

The Mexican government made a grant of land, embracing the San Fernando Mission, to a gentleman named De Celes. This grant was, as was always the case in all grants of land by the Mexican government, without prejudice to the rights of the Indians living on the Mission lands.

Mr. E. F. De Celes, now living in Los Angeles, and editor of a Spanish paper in that city, inherited this grant from his father. Most of these Indians had either died or moved away, thus losing their right to a home on these lands, and there was but one family left, that of Rogerio. The land of this Indian, ten acres, was surveyed, and the lines bounding it clearly defined. There was a fine spring of water on it. He had a comfortable adobe house, on which property he has for years paid taxes. He was a blacksmith, trained under the old Mission fathers, and had long met the wants of the people in that section of the State as a skillful mechanic.

A few years since Mr. De Celes sold his grant to two gentlemen. When he examined the deed prepared by his attorney, by which he was to convey the property, he refused to sign it, because it did not contain the exception made in the grant under which he held the property, in favor of the Indians, until assured that the omission was of no importance, since he could not convey to others what he had not received in the original grant. Upon this representation Mr. De Celes signed the deed without the exception in favor of the Indians. Soon

after taking possession these gentlemen brought suit to eject Rogerio. Unfortunately, he employed counsel who made a fatal mistake, and on technical grounds the case was decided against him last winter, and the sheriff appeared with a writ of ejectment in the midst of the rainy season. Rogerio is now a very old man. His wife, also aged, and another old woman, with several other relatives, constituted his household, some eight or nine souls—if Indians may be properly thus described—in all. The old women, his tools and household goods, his chickens in sacks, and all his movable belongings were tumbled into a wagon (the old man, protesting against his removal, would not be put into the wagon, but followed after), taken some two miles from their home, and thrown out by the roadside, and here lay unprotected from the incessant rain for eight days, during which the old man made his way to Los Angeles, and got permission from the priest to occupy an old shed connected with the Mission Church. In the meantime people passing along carried off baskets, tools, fuel, whatever they chose to take, either as curiosities or for use; their chickens were dead when taken from the sacks, and pounded parched corn was their only food. It was thought by some that the old man must have money hidden about his house, as he had for so many years been an industrious mechanic, and prospecting parties made search for it, digging up the floor of the house, and exploring every possible hiding place. The old wife contracted pneumonia, from which she soon died, and the old man is now one of those vagrant, homeless vagabonds, who help to demonstrate the fact that all efforts to civilize the Indians are without satisfactory results. For more than a century the effort has been made to Christianize these people, and in this particular case unusual pains had been taken, but now after all this effort, when over eighty years of age, and after, probably, sixty-five or seventy years of opportunity, he is a homeless vagabond. Truly, such efforts do seem hopeless! If any one is moved to indignation, and feels a temptation to denounce these men, who, after all, only took what neither law nor equity gave them, but only a technical blunder, either honestly or otherwise made by Rogerio's attorney, let them temper their feeling when they hear that they purpose to erect at this place a theological seminary in connection with the University for Southern Cali-

fornia, to which they have made liberal subscriptions. The exigencies of theological science on that coast would seem to be very great, when it is remembered that this old man and his wife were perhaps the last ones who could prove their right to occupy this land, and in the course of nature they could not have claimed it much longer, being now more than eighty years of age.

The important thing to consider in this connection is, that some four or five hundred other Indians in Southern California, self-supporting, civilized, Christian Indians, who hold their homes by a title as good as that of Rogerio, are in the same jeopardy to-day, and are liable and certain to meet with a like fate unless immediate steps are taken to prevent it. What can be done, therefore, must be done speedily, if at all.

These cases can and must be remedied in the courts, either by suits to quiet title, or by making the best defense possible when suits have been brought for the ejectment of the Indians. There ought to be, also, legislation to complete the inchoate titles by which these people hold their lands, for they are titles of occupancy. The perfecting of these titles by our Government is a *political* and not a *judicial* trust. If the Supreme Court of California should reverse the decision of the lower court in the case of Byrnes *vs.* The San Jacinto Indians, and refuse a writ of ejectment, it would only decide that they cannot be dispossessed of their right to occupy and use these lands; but before they can dispose of them by sale, or do with them as they please, Congress must perfect their title; the courts cannot do this.

The evils by which these Mission Indians are oppressed belong to one of three classes: (1) Those that must be remedied, in part at least, by the courts; (2) Those that require Congressional action; and (3) Those that require only an executive order. To meet the first, inasmuch as the Department of Justice will not deal adequately with them, and the Indians in their poverty and ignorance cannot, the friends of justice and of the oppressed must come forward and see that their rights have the best possible presentation and defense in the courts. In regard to the second class, public opinion must be aroused, and the demand made, in no uncertain language, that these people, whose interests are committed to a political body in which they have no

representation, shall be properly cared for by Congress. The third class—and a large number of most urgent cases fall into this—must be urged upon the Department of the Interior, which should be held to a strict accountability for its action, or want of action.

Since the 27th of December, 1875, there have been set apart nineteen reservations for the Indians of Southern California by executive order, aggregating 224,389.98 acres of land ; or about 65 acres to each Indian, or 305 to each family of five persons ; but in estimating the sufficiency of these for the support of the Indians it should be borne in mind that absolute desert and inaccessible mountains constitute a very large proportion of a number of them.

A reservation near San Gorgonio, sometimes called the San Gorgonio Reservation, sometimes the Protrero (there is one called Protrero near San Luis Rey in San Diego County), but on the maps designated "Maronge," contains 88,475.32 acres. Some of this is desert ; much of it can be used only for pasture and dry farming ; enough of it to support the Indians actually on it can be irrigated, and is valuable land, adjoining and near the town of Banning on the Southern Pacific Railroad. On these lands forty white squatters have settled, who are pre-empting all the water and the best of the land. These men are making improvements, forcing the Indians back upon the unimprovable lands, and getting such a hold, and by the connivance of the Government establishing such a claim to them, that it will be difficult to dislodge them from it. Already an order to remove certain men from another reservation, the Capitan Grande, has called forth a protest from, it would seem, all the leading men of San Diego, who vouch for these men as respectable, law-abiding, and most excellent citizens, who in perfectly good faith, and with honorable purpose have, with the *consent* and *acquiescence* of the officers of the Government, made valuable improvements, and acquired vested rights in the lands they occupy, which it would be an outrage now to disturb. Complications have thus arisen on this reservation which will require heroic treatment to adjust. It is always much easier and less troublesome every way to do an Indian substantial and irreparable wrong, than to inflict a seeming hardship upon a

white man; so much so, that it will be difficult to apply the heroic treatment called for in these cases. The executive order creating this reservation (Maronge) set apart all the land in certain townships for an Indian Reservation, excepting sections to which valid legal titles had attached under the land laws of the United States. Filings had been made on a few sections embraced in the reservation thus created, but the parties never completed the steps necessary to perfect their titles, and these filings were canceled. Subsequently *other parties* made filings on these same sections on the theory that they lapsed, not to the Indian Reservation, but to the public domain. The local land office refused the filings, holding that they were a part of the Indian Reservation. Appeal was taken to Commissioner McFarlane of the General Land Office, who overruled the local office, and allowed the filings. The present Indian Agent has brought the case before the present Commissioner; Shirley C. Ward, Special Attorney for the Mission Indians, filing a brief for the Indians in the case. The commissioner reversed the order of his predecessor, and ordered the filings canceled. Appeal was then taken to the Secretary of the Interior, Mr. Lamar, who sustained the present commissioner. The particular case decided was that of a Mr. Filkins, but the ruling applies to other filings covering some 3000 acres of the best land on the reservation. The last ex-Indian Agent, Mr. McCullom, is attorney for these would-be homesteaders, and argues that, inasmuch as these filings were allowed by the Government officials, meaning himself at the time, they ought not to be canceled now. It is somewhat satisfactory that the present Secretary of the Interior has decided the case rightfully for the Indians; but not very satisfactory to know that these men still occupy the land, and would not allow the Indians to plow their lands for their crops last autumn. An unexpected outburst of executive energy on this reservation last September promised much for the Indians, but its sudden collapse has simply made the agents of the Government ridiculous in the eyes of these trespassers. A man named Black, who has been for years on the reservation, opened a "Hog Ranch," and, by fouling the water which flowed down on to the land of some white settlers, created a nuisance, of which they complained to the Indian Department,

and the request was made that he should be removed as a trespasser upon Indian land. The agent was promptly ordered to notify Black that he must get off within thirty days, or he would be pitched off, neck and heels, with all his belongings. He was not ordered off because a squatter on Indian lands,—if so, why leave the other thirty-nine undisturbed?—but because he had become a nuisance to his white neighbors. Mr. Black informed the agent that he would not go. The agent so informed the Department, and asked: "How shall I get him off?" To this very natural inquiry, seeing he has no Indian police, *the Department made no reply whatever.* Black is a very large man, and the agent a very small one, and when asked why he did not execute the order, simply points out the disparity of avoirdupois. Of course, Black is in possession, and entertains a feeling of supreme contempt for the authority which he thus defies. Since this miserable fiasco, another man has begun to build a house on the reservation.

The Capitan Grande Reservation, some thirty miles from the city of San Diego, was first created by executive order December 27th, 1875. Additions were made to it May 3d, 1877, and in June, 1883, and it contains in all 17,340.57 acres. The Indians for whom it was set apart, lived along the narrow valley of the San Diego river. The commissioner sent out to select a suitable reservation for them did not take the trouble of going upon the ground, but went to the County Surveyor, who, as he received no compensation for his work, ran the lines of the reservation by guess. His guess was a shrewd one, if it was intended to throw the lands occupied by the Indians back into the public domain, and give to them, for the most part, inaccessible mountain peaks.

As soon as the order was issued creating the Reserve, white men made filings on the lands which had been occupied by the Indians, who were forced back to the mountains. Subsequently these filings were canceled, and these sections added to the reservation, but this has been without relief to the Indians. Mrs. Jackson reported certain parties as being on the reservation—Knowles, Hensley, Taylor, Isham and others, and they are there yet. Hensley showed an Indian named Ignacio Curo, who was living on and cultivating a part of section 22, T 14 S,

R 2 E, from whom he had rented for several years the privilege of keeping bees on his land, what purported to be a patent for this section. He said he would give him $160 for his crops and improvements if he would go quietly off; if he refused, he would have nothing, but go, all the same. Of course, he went. On this section is the Indian burying ground, in which Indians are forbidden to bury their dead. Hensley has a saloon and store on this land, and does what he can to degrade the Indian below the point where he can make any appeal to our sympathies. Two other saloons are in full blast on the reservation. Knowles, who has bee ranches on three different sections, drove an Indian named Piopepa from one of these on which he had plowed land for barley. These men have been ordered from the reservation, but an appeal and protest has been sent on signed, as said above, by the leading men of San Diego, in which it is said that there are only twenty-four Indians on the reservation, and that they have more than 500 acres of land each.

The reply to this is, (1) that when a white man tells an Indian that he will shoot him if he does not get off, he will naturally get off, and (2) that if these men will go up on to the mountain and take homesteads, and leave the valley lands to the Indians, no intelligent friend of the Indians will take the trouble to climb up and dispossess them. The whites are also converting the timber on this Reserve into charcoal, for which they readily receive fifty cents per barley sack in San Diego.

The integrity of these reservations must be maintained until the Indians have been wisely located upon them, and then, if there is a surplus of land above their needs, let it be restored to the public domain, and opened for settlement. At present it is the lawless and unscrupulous who get them.

OBSTACLES.

Two cases of recent occurrence show how difficult it is for an Indian to make successfully an effort in the direction of individual independence. (1) Feles Calac, a mission Indian, has for years been living on a section of school land belonging to the State. He made application to purchase it. The Surveyor refused his application because he was an Indian, and the State law required that the purchaser shall be a citizen of the United States. Ap-

peal was taken to the Attorney-General of the State, and proof furnished that Calac was a Mission Indian, and as such a citizen of the United States. The Attorney-General instructed the Surveyor to allow his application. The Surveyor-General then informed Calac's attorney that his application would be allowed, but that it must be amended so as to cover only one-half of the section, as the other half had not been surveyed. In the meanwhile a white man, named W. B. Ferguson, made application to purchase, and his application was accepted. The State law requires, if the land applied for is suitable for cultivation, that the applicant must live upon it. Ferguson's application was accompanied with an affidavit that he was, and had been, living on this land, which was false. The contest has now been referred to the Superior Court of the State, and involves the question of the citizenship of a Mission Indian; also of the truth of Ferguson's affidavit.

(2) Two Indians, on one of the reservations — the San Jacinto—were desirous to take their land in severalty, but as they could not do this, they appealed to the Secretary of the Interior to restore the sections they wanted to the public domain so that they could enter it under the homestead law. When this was done, it was found that a mistake had been made in describing the land they wanted, and that other land, and not this, had been thus restored. They amended their description, and asked that what had been restored might again be added to the reservation, and what they did want should be opened up for settlement. Nothing was heard from this application, and on inquiry I learned that it had been pigeon-holed in the Bureau, the clerk in charge saying that they did not seem to know what they did want, they had already made considerable trouble, etc. Promise was given that the poor Indians should not suffer the consequence of other men's mistakes, and that their wish should be complied with.

Under existing conditions and management in Indian affairs it seems all but impossible that mistakes and delays fatal to the hopes and interests of Indians who attempt to go forward shall not be made. If an Indian wishes to remain an Indian there is unlimited opportunity, and every inducement to do so, and many enemies and mistaken friends ready to help him; but if

he attempts to climb out of his miserable condition, there are few inducements and small opportunity to do so, and obstacles innumerable.

The demand for agricultural land in California is urgent, and the quantity available is becoming limited, and the temptation to seize upon every foot of it, to which an absolute and indisputable personal title, held by a white man has not attached, seems all but irresistible. No chapter in the sad and shameful history of our dealings with the Indians is more disgraceful than that which tells the story of these Mission Indians. The condition of none other so urgently demands attention from the Chief Executive, the law makers, and the Christian Church as does that of these long-suffering, patient and much-abused people.

THE EDUCATIONAL WORK.

Illustrations of the workings of the political machinery, at whose mercy is placed the work of civilizing the Indians, are met with wherever one goes among the various tribes.

Congress, in response to the awakened conscience and enlightened sentiment of the country, makes liberal appropriations for the education of the Indians. Over twelve hundred thousand dollars for schools, and twenty-five thousand dollars for additional farmers were voted last year.

But this money will fail, and must fail, to accomplish the good it ought to produce, and the probabilities are that all failures will be charged to the lack of character and capacity on the part of the Indian, and not to the miserable system, or want of system, under which it is expended; and soon the cry will be heard, not that a sensible system shall be adopted, but that a useless expenditure of money shall cease.

On my way out I stopped at Albuquerque to visit the Government Indian School at that point. This school was started in 1881 by the Presbyterians, as a mission school. In 1884, a contract was made with the Government (which furnished the buildings in part) to board, clothe and teach Indian children at so much per head. The report of the school superintendent for the year ending June 30th, 1885, gives the following figures in reference to the number of pupils. The contract is with Dr. Kendall, Secretary of the Home Missionary Society of the

Presbyterian Church. The date of separate contracts is as follows:—

July 1st, 1884, 125 Pueblo children, 2 months.
Sept. 1st, 1884, 125 Pueblo children, 2 months.
Nov. 1st, 1884, 125 Pueblo children, 2 months.
Jan. 1st, 1885, 65 Pueblo children, 3 months.
Jan. 1st, 1885, 60 Pueblos, 3 months.
July 1st, 1884, 26 Utes, 9 months.
Apr. 1st, 1885, 17 Utes. 3 months.

From which it appears that for nine months of the year, from July 1st, 1884, to June 30th, 1885, there were in school 125 Pueblo and from 26 to 43 Ute children. The success of Prof. Bryan was such as to satisfy the Society for which he worked, and also the late superintendent of schools, who urged the Department, when it was decided to put the school under the immediate control of the Bureau, to retain him as its Superintendent.

A new superintendent was appointed, and with a part of his teaching force and clerk was on the ground at the time of my visit, but neither furniture, nor school supplies, nor pupils were there; and as six months of this school year closes, the Commissioner sadly admits that there is but one pupil in the school, and debates the question of dismissing the employés, and putting the empty buildings under the care of a janitor.

Prof. Bryan had purchased a site for a new Mission School; had rented some small buildings in which he had eight pupils, and will soon have accommodations for sixty more, and will proceed at once to erect his new buildings for the accommodation of two hundred pupils.

The policy which has been pursued by the present management of the schools has not worked well at this point.

The Home Missionary Society of the Presbyterian Church had made a most hopeful beginning among the Pueblos of this territory, and had invested largely in the work, co-operating with the Government in its educational efforts. Suddenly the character of the school is changed, with great pecuniary loss to the Society, and a Catholic superintendent is put in to carry on the work inaugurated by the Presbyterians. At Albuquerque, not the Presbyterian school merely, but the entire educational work has been brought to a sudden ending by the policy pursued.

There are in and about San Bernardino quite a number of Indian families in which are enough children for a school at that place. During the summer vacation of a young lady, whose home is in that town, who has been teaching the Indian day school at Temecula, she, at the suggestion of the agent, looked up these children, and secured the promise of their parents that some thirty of them would attend school if the Department would establish one for them.

Application was made for authority to open a school by the agent, who wrote that he had a competent teacher, he having promised it to this young lady if she would work it up successfully. Authority was promptly granted for the school, accompanied by the statement that a lady from Washington City was appointed to be its teacher.

The success of the enterprise depended upon the skill and ability of the teacher who should be put in charge. This lady knew nothing of Indians, it was said,—knew nothing of teaching, was dissatisfied with her position, surroundings and work. The school had dwindled down to almost nothing, and was regarded by the agent as a miserable failure, whereas it might have been, in his estimation, a great success under proper management.

The farmer at Protrero was a practical farmer, who understood irrigation and the peculiar methods made necessary by the climate and soil of California, could speak fluently the language of the Indians, could turn his hand to any practical work necessary to be done, and was greatly liked by the Indians. There suddenly appeared a new appointee to take his place. He proved to be a deputy sheriff from a little town in Mississippi. What he knew of farming he had picked up about the Court House, and it had little adaptation to the condition of things on an Indian Reservation in California. He, of course, cannot understand or be understood by the Indians, and there is no interpreter at the reservation; he does not know how to do anything, and his presence there has no relation whatever to the work required, and for which he draws his salary.

The facts in these two cases I had learned from others before I saw the agent, and had from him a reluctant but full confirmation of them. He was unwilling to say anything reflecting upon the wisdom of what the Department had done, but was forced to

say that the appointments in these cases were of such character as defeated the purpose for which they were made, so far as Indian civilization is concerned.

Father Ubach, of San Diego, under whose supervision a school has recently been established at Old San Diego, kindly carried me out to visit it. It is to be an industrial training and boarding school under the contract system.

The church furnishes everything, and is paid so much per capita for the care and instruction of the pupils. There were about forty pupils, of both sexes, gathered in the school, which had been in operation several weeks.

The buildings were not completed, and the pupils were crowded into one room, bringing the classes so near to each other that they necessarily interfered with each other's exercises, so that no satisfactory work could be done under the circumstances, and unfavorable criticism of it would seem ill-natured and unjust.

Father Ubach is one of the most intense friends of the Indians, and the hot indignation with which he denounces the men who wrong and abuse them is delightful to see, having a complexion and flavor which is at once Spanish and ecclesiastical. There is little doubt that in these buildings, when complete, he will give these children decent and comfortable homes; that he will be to them a kind "Father" indeed; that the "Sisters" in charge will be sisters in truth, tender and careful of their physical and spiritual welfare. The kindly sister who was busy with the construction of immense and most appetizing apple pies for their dinner, appeared to be well versed in culinary arts, and we can but hope that under improved conditions the intellectual wants of the pupils will be equally well provided for.

From every tour of investigation and study of the Indian problem, in whatever part of the field we are working it out, one returns with the conviction deepened that our red brother enters the race with us hamstrung and handicapped.

Legislation touching his interests is enacted by a political assembly in which he has no voice and few friends, as against those whose antagonistic interests are crowded to the front to the neglect or overthrow of his own.

In the courts, interpreting, as they must, treaties which have been largely dictated by the white man's greed, and enforcing

laws which were enacted to gain the end for which the treaties were made, he has small standing, and no fair chance as against the wealth and shrewdness of his white antagonist.

However kindly disposed toward the Indian the Chief Executive may be, and sincerely desirous to protect his interests so far as they are committed to his keeping, it is all but impossible that the demands of active, aggressive, intelligent white men who have crowded up to and over the lines of reserved savagery, and are asking that they may be allowed to make it bud and blossom with our civilized life, who have ballots in their hands, much needed for party success, shall not drown the feeble protests of those whose humanity is somewhat "off color," and who politically have no existence.

It soon becomes plain to every intelligent person who attempts to do anything for the benefit of Indians, and even to those who merely observe the course of affairs and events related to Indian interests, that legislation alone, even the wisest and best, will not save the Indians or give them what they most need. A mere feeling of good will or sentimental kindliness of disposition toward them, even if it were universal, would not greatly avail in practical directions. In order that legislation in their favor may be applied, and that Indians may actually receive the benefits which legislation is intended to secure for them, somebody must undertake to give attention to particular cases of wrong and hardship as they arise, and must employ the time, labor and money required in the investigation and defense of Indian rights. We are approaching the end of the period when mere agitation can accomplish anything of great value. All that has been done for the Indians will be, to a great extent, futile, and will soon become inoperative, unless we maintain and extend the work of investigation, and of practical, effective interference with the tendencies and influences which, working unchecked, would soon destroy and eliminate the Indians. It is this practical work of investigation, and of intelligent championship and defense of Indian rights, in which the Indian Rights Association is engaged. It is needed everywhere, and, in proportion as its means will permit, it aims to be everywhere on the ground, endeavoring first to understand the real situation, and then to represent effectively the demands of justice and right.

The following are recent publications of the Indian Rights Association:—

The Helplessness of the Indians before the Law, with an Outline of Proposed Legislation. By the Law Committee of the Association.

The Indian Problem; a letter to the Boston *Herald*. By Mr. Herbert Welsh.

The Fourth Annual Report of the Association, 1886. An interesting record.

Prof. C. C. Painter's Report of his Recent Visit to the Mission Indians of California. A document of the highest value.

Indian Administration; a letter to the New York *Evening Post*. By Mr. Herbert Welsh.

Needed Legislation. By Mr. Henry S. Pancoast, Chairman of the Law Committee. Brief but important.

Mr. Harrison's Report—The Latest Studies on Indian Reservations—is passing through the press.

All the above sent free on application (or for the cost of printing when our friends prefer).

Address

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Bridgeton New Jersey.
AUG 16 1888

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